

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Kevin Harrington

v.

Case No. 24-cv-147-SE-TSM

Northern NH Correctional Facility Warden

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Talesha L. Saint-Marc dated January 2, 2025. For the reasons explained therein, claims 2(e), 5(a)-(b), 6, and 7 are dismissed. Harrington's motion for immediate relief (doc. no. 10) and petition to vacate (doc. no. 12) are denied to the extent that those motions seek release on bail while Harrington's § 2254 petition remains pending. “[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.” School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir. 1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).



Samantha D. Elliott
United States District Judge

Date: January 31, 2025

cc: Kevin Harrington, pro se
Counsel of Record